

1 DAVID C. WEISS
Special Counsel
2 LEO J. WISE
Principal Senior Assistant Special Counsel
3 DEREK E. HINES
Senior Assistant Special Counsel
4 950 Pennsylvania Avenue NW, Room B-200
Washington, D.C. 20530
5 Telephone: (771) 217-6091
E-mail: LJW@USDOJ.GOV, DEH@USDOJ.GOV

6 Attorneys for Plaintiff
7 UNITED STATES OF AMERICA

8 UNITED STATES DISTRICT COURT

9 FOR THE CENTRAL DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 ALEXANDER SMIRNOV,

14 Defendant.

No. 2:24-cr-00091-ODW

GOVERNMENT'S EX PARTE APPLICATION
FOR ORDER SEALING CERTAIN EXHIBITS
TO GOVERNMENT'S APPLICATION FOR
REVIEW OF MAGISTRATE JUDGE'S BAIL
ORDER; DECLARATION OF DEREK E.
HINES

(UNDER SEAL)

16 The government hereby applies ex parte for an order that certain
17 exhibits in the above-titled case be filed under seal exhibits 1, 3,
18 4, 5, 6, 7, 10 and 11 to the Government's Application for Review of
19 Magistrate Judge's Bail Order under seal as these documents contain
20 personally identifiable information (PII) and/or financial
21 information, which should be protected from public view. Exhibits 1,
22 3, 4, 5, 6, 7 10, and 11 were sealed by the magistrate judge in the
23 underlying proceeding and exhibit 11 is the pretrial services report
24 in the District of Nevada.
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1 This ex parte application is made pursuant to Local Criminal
2 Rule 49-1.2(b)(3) and is based on the attached declaration of Senior
3 Assistant Special Counsel Derek E. Hines.

4 Dated: February 21, 2024

Respectfully submitted,

5 DAVID WEISS
6 Special Counsel

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9 LEO J. WISE
10 Principal Senior Assistant Special
11 Counsel

12 DEREK E. HINES
13 Senior Assistant Special Counsel

14 SEAN F. MULRYNE
15 CHRISTOPHER M. RIGALI
16 Assistant Special Counsels

17 United States Department of Justice
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DECLARATION OF DEREK E. HINES

I, Derek E. Hines, declare as follows:

I am the Senior Assistant Special Counsel. I represent the government in the prosecution of United States v. Alexander Smirnov, No. 2:24-cr-00091-ODW, where on February 14, 2024, a federal grand jury in the Central District of California returned a two-count indictment charging Smirnov with one count of making false statements to federal law enforcement, in violation of 18 U.S.C. § 1001 (Count One) and; one count of fabricating information in a federal investigation, in violation of 18 U.S.C. § 1519 (Count Two). *United States v. Smirnov*, Cr. No. 2:24-cr-00091-ODW (C.D. Cal. Feb. 14, 2024, ECF 1). That same day, Smirnov was arrested in the District of Nevada as he returned to the United States on an international flight. Smirnov was scheduled to leave the United States two days later, on February 16, 2024. A detention hearing was held scheduled in his matter on February 20, 2024, before United States Magistrate Judge Daniel J. Albregts of the United States District Court for the District of Nevada. At that hearing, United States Magistrate Judge Albregts ordered Smirnov released on a personal recognizance bond and conditions. He further ordered that certain exhibits to the government's motion be sealed, including exhibits 1, 3, 4, 5, 6, 7, 10 and 11. The United States is now requesting a review of the Magistrate Judge's Bail Order. In support of that application, the government has included these same exhibits which include personally identifiable information (PII) and/or financial information. The defendant did not object to these

1 exhibits being sealed in the underlying proceeding in the District of
2 Nevada. The government has included on additional exhibit, exhibit
3 11, which is the pretrial services report and also includes
4 personally identifiable information (PII) and/or financial
5 information.
6

7 1. Accordingly, the government requests that exhibits 1, 3, 4,
8 5, 6, 7, 10 and 11 to the Government's Application for Review of
9 Magistrate Judge's Bail Order be sealed.

10 2. Copies of the sealed exhibits were provided to defense
11 counsel on February 21, 2024 by email.

12 3. I declare under penalty of perjury under the laws of the
13 United States of America that the foregoing is true and correct and
14 that this declaration is executed at Las Vegas, Nevada, on February
15 21, 2024.

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DEREK E. HINES